



# *The Commonwealth of Massachusetts*

## *Office of Campaign & Political Finance*

*One Ashburton Place, Boston 02108*

*727-8352*

*September 25, 1987*

*AO-87-10*

*Dennis J. Duffin*  
*Director*

Mr. Steven Kandarian  
280 Commonwealth Ave.  
Boston, MA 02116

Dear Mr. Kandarian:

Your recent letter indicates that you intend to run in the First Suffolk Senatorial District for the Republican State Committee in March of 1988. You ask whether such a campaign falls within the Campaign Finance Law, M.G.L. Ch 55.

M.G.L. Ch. 55 s1 defines a "candidate" as "any individual who seeks nomination or election to public office, whether or not such individual is nominated or elected." Under the provisions of Chapter 55 of the General Laws, such candidates for public office must file campaign contribution and expenditure reports with this office. Candidates for the state committee are not, however, candidates for public office. Decisions of our courts for many years have made it clear that membership in a political committee does not, of itself, constitute public office.

Since in both the definition of "candidate" in section 1 of Chapter 55, and in the reporting requirements of section 18, the words "public office" are used, it is my opinion that candidates for state committee are not "candidates" within the meaning of Chapter 55 and have no reporting requirements with this agency.

You should also be aware that rules promulgated by this office prohibit candidates for public office (from their candidates account) and political committees subject to M.G.L. Ch. 55 from making contributions to, or expenditures on behalf of, individuals seeking membership on elected political committees as provided for in M.G.L. Ch. 52 (CMR 2.05 (4) (b) 4, 2.06 (6) (b) 1).

This opinion is limited to the application of M.G.L. Ch 55 which this office is empowered to administer.

Very truly yours,

*Dennis J. Duffin*  
Dennis J. Duffin  
Director

DJD/mmd